

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
SHYAMAL GHOSH,

Plaintiff,

-against-

NEW YORK CITY HOUSING AUTHORITY,  
  
Defendant.

ANALISA TORRES, District Judge:

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 3/20/2023

21 Civ. 6139 (AT) (BCM)

**ORDER**

On June 16, 2021, Plaintiff *pro se*, Shyamal Ghosh, filed a complaint against Defendant, New York City Housing Authority (“NYCHA”), alleging employment discrimination and retaliation, in Supreme Court, New York County. ECF No. 1-1. On July 19, 2021, NYCHA removed this action to the Southern District of New York. ECF No. 1. Ghosh amended his complaint several times: on October 29, 2021, ECF No. 14, on November 12, 2021, ECF No. 18, on December 30, 2021, ECF No. 22, and on January 3, 2022, ECF No. 23. On April 29, 2022, NYCHA filed a motion to dismiss the operative complaint under Federal Rule of Civil Procedure 12(b)(6). ECF No. 41. On May 2, 2022, the Court referred the motion to the Honorable Barbara C. Moses for a Report and Recommendation (“R&R”). ECF No. 44. Ghosh filed his opposition on May 31, 2022. ECF Nos. 46, 48. On July 9, 2022, Ghosh filed an unauthorized sur-reply to NYCHA’s reply, dated June 24, 2022, ECF No. 51. ECF No. 52.


On February 27, 2023, Judge Moses issued an R&R recommending that NYCHA’s motion to dismiss be granted, that Ghosh’s federal claims be dismissed with prejudice for failure to comply with Rule 8(a)(2), or, in the alternative, for failure to state a claim under Rule 12(b)(6), and that Ghosh’s state claims be dismissed without prejudice for lack of subject matter jurisdiction. R&R at 1, ECF No. 55. Despite notification of the right to object to the R&R, no objections were filed, and the time to do so has passed. *See* Fed. R. Civ. P. 72(b)(2). Having received no objections to the R&R, the Court reviewed the R&R for clear error and found none. *Oquendo v. Colvin*, No. 12 Civ. 4527, 2014 WL 4160222, at \*2 (S.D.N.Y. Aug. 19, 2014).

The Court, therefore, ADOPTS the R&R in its entirety. Accordingly, Defendants’ motion to dismiss is GRANTED. Ghosh’s federal claims are DISMISSED with prejudice, his state claims are DISMISSED without prejudice, and the Court declines to grant leave to amend.

The Clerk of Court is directed to terminate the motion at ECF No. 41, mail a copy of this order to Plaintiff *pro se*, and close the case.

SO ORDERED.

Dated: March 20, 2023  
New York, New York

  
ANALISA TORRES  
United States District Judge